

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

IN RE:
JOSE & NANCY V GALVAN
DEBTORS

CASE NO: 23-70095-M-13
CHAPTER 13

**TRUSTEE'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN
AND
MOTION TO DISMISS OR CONVERT**

This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.

There will be a hearing on this motion on **August 17, 2023 at 10:00 am** located at:

US Federal Courthouse
1701 W. Business Highway 83
Bentsen Tower, 10th Floor Courtroom
McAllen, TX 78501

You may attend in-person or virtually. To attend virtually, you must connect by separate audio and video connections. The audio connection is 832-917-1510. The code is 999726. The video connection is at gotomeet.me/JudgeRodriguez. Click on the "Join the meeting" button, then click on the "Open Link" button. If it requests a passcode, type JudgeRodriguez.

Represented parties should act through their attorney.

YVONNE V. VALDEZ, Trustee, objects to Confirmation of Chapter 13 Plan and moves to dismiss the case or convert it to one under Chapter 7 pursuant to Fed. R. Bankr. P. 1017 and Local Bankruptcy Rule 1017-2 for the following reasons:

1. The plan does not meet the disposable income test requirement of 11 U.S.C. § 1325(b).
2. The plan fails to provide for payment of all secured and priority claims within the term of the plan as required by 11 U.S.C. § 1325.
3. Paragraph 10 of the Chapter 13 Uniform Plan and Motion for for Valuation of Collateral is incomplete .

WHEREFORE, Trustee prays that the case be dismissed or converted to Chapter 7, whichever shall be determined in the best interest of creditors.

Dated: July 7, 2023

Respectfully Submitted,

/s/ Yvonne V. Valdez

YVONNE V. VALDEZ, Trustee
555 N. Carancahua, Suite 600
Corpus Christi, TX 78401-0823
(361) 883-5786 phone
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CERTIFICATE OF SERVICE

I certify that on or about July 7, 2023, a copy of the foregoing pleading was served electronically on all parties requesting electronic notice or by United States Mail to the Debtors, Debtors' Counsel and all parties listed below:

/s/ Yvonne V. Valdez

Yvonne V. Valdez, Trustee

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Parties Requesting 2002 Notice

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